



31

June 20, 2005

Mary Lavelle  
City Clerk  
City of Milpitas  
455 E. Calaveras Boulevard  
Milpitas, CA 95035-5411

Dear Mary:

The Art and Wine Committee and the Board of Directors of the Milpitas Chamber of Commerce are submitting for approval the attached Entertainment Event Permit for the 2005 Milpitas Art & Wine Summer Festival.

Our annual event is scheduled for Saturday, August 20<sup>th</sup> and Sunday August, 21<sup>st</sup> from 10:00 a.m. to 6:00 p.m. each day. The festival will be located on Milpitas Boulevard between Los Coches and Turquoise Streets and on Los Coches between Milpitas Boulevard and Topaz. This annual festival unites the community to present a weekend of quality arts and crafts, food, refreshments, and entertainment for the entire family.

The Chamber is requesting the following from the City Council:

1. Waive permit fee for entertainment.
2. Waive business license fees required for a 2-day event.
3. Waive cleaning deposit.
4. Approve placement of temporary signs and banners around the city advertising the event. Banners would be placed no more than 3 weeks prior to the event and removed after the event.
5. Approval placement of message on City Reader Board.
6. Waive fees for use of Mobile Stage.

We are looking forward to another successful weekend for everyone.

Sincerely,

Tim Howard  
Chair, Art & Wine Committee  
Milpitas Chamber of Commerce

CITY OF MILPITAS  
455 E. CALAVERAS BOULEVARD  
MILPITAS, CA 95035

ENTERTAINMENT EVENT PERMIT  
(Chapter 5, Title III, Milpitas Municipal Code)

1. Applicant, all sponsors and promoters of the event and all proprietary owners, partners and officers and directors of Applicant and said sponsors and promoters:

<u>Name</u>	<u>Business Address</u>	<u>Business Phone</u>
Milpitas Chamber of Commerce, 828 N. Hillview Dr., Milpitas, CA 95035 (408) 262-2613		

(Use separate sheet for additional names)

2. Proposed location of event: Milpitas Blvd. between Los Coches & Turquoise St. and Los Coches between Milpitas Blvd. and Topaz.
3. All owners of real property where event is proposed to be held:

<u>Name</u>	<u>Address</u>
We are in the process of obtaining written permission from companies located in the immediate vicinity. Working with Solelectron and Seagate. They have been very supportive-they allow us to use their parking lot for festival exhibitors.	

(Use additional sheet if necessary)

4. Dates and hours of event: Aug. 20th and 21st, 2005, 10:00 a.m. to 6:00 p.m.
5. Nature and type of performance at event: Arts & Crafts, Entertainment (2) stages.
6. Intended performers:

<u>Name</u>	<u>Address</u>	<u>Nature of Participation</u>
The Hitmen, 1649 Silacci Dr., Campbell, CA 95008		Musical Group
PT and the Cruzers, 1533 Spinaker Lane, Halfmoon Bay, CA 94019		Musical Group
Southbay School of Music Art, 330 S. Abel St., Milpitas, CA 95035		Music School

Other groups are still being finalized. (Use separate sheet for additional names)

7. Estimated number of: Spectators 30,000 + Participants 400 Others \_\_\_\_\_
- Attendance each day 15,000 Basis for estimate See #8

*rec'd 6-21-05*

8. Method for determining number in actual attendance: Estimate from prior years festivals, security personnel estimates, artisans with Calif. Artists.
9. Proposed facilities for furnishing drinking water (justify adequacy): Soft drinks and bottled water be available for sale from food vendors and Chamber booths.
10. Proposed sanitary facilities (justify adequacy): Contracting to have portable toilets and wash stations in three locations. Units will be serviced Sunday morning. Handicapped facilities will also be provided.
11. Description of real property on which event will be conducted (justify adequacy): Public Street. Booths will be back to back down Milpitas Blvd with walkways on each side and a 25' fire lane on West Side.
12. Description of parking facilities, parking attendants at entrance, exits and in area (justify adequacy): We are obtaining permission from companies in the festival vicinity to utilize parking lots. They have been very supportive.
13. Description of interior access ways (attach map or diagram and justify adequacy): Preliminary map/layout attached.
14. Description of composition and construction of structure, seating arrangements and supports and justification of adequacy: \_\_\_\_\_
15. Description of availability and location of ambulances, fire, police and other emergency vehicles: Fire Dept. and Police Dept. will have booths/displays & equipment out there as in the past. Patrolled by private security.
16. Description of interior private police protection proposed (justify adequacy): Security officers from Parks Patrol will be patrolling.
17. Description of provision for fire safety (justify adequacy): Adequate fire lanes provided in layout. Fire Dept. will brief food vendors about fire safety at food vendors meeting. Booths will be inspected for fire safety.
18. Location, nature and type of medical and first aid facilities (justify adequacy): Fire Dept. will be on site.
19. Description of proposed electrical wiring, lighting and location of all light standards and electrical switches: Electrical contractor to provide all connections to generators and provide distribution boxes to booth areas that require power and to the stages for sound equipment.

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20. Description of manner of acquiring, handling, preparing and disposing of food, drink, confectionery and condiment and all substance and ingredients used in their preparation: Santa Clara County Health will inspect food booths and provide training to food vendors. BFI to provide dumpsters. Grey water tanks provided by sanitation company.
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21. Manner of cleanup of the premises during and after the conclusion of the entertainment event and for the removal of garbage, refuse and waste: Clean-up crew, Boy Scouts, BFI dumpsters.
- 
22. Additional information which may be helpful in processing your permit: Area will be adequately  
blocked off - barricades/signage. Alcoholic beverages can't be taken past specific area.  
We are reaching out to the business community in the immediate area for approval and their participation. This is a community event. Our insurance carrier is the same as prior years - California Coastal Insurance in San Ramon--A certificate will be provided. Art & Wine Emergency Plan attached.

The following must be submitted at time of application:

- A. Filing fee of \$100.00 (not subject to refund upon withdrawal or denial).
- B. Proof of ownership of real property.
- C. Written consent of all owners of real property to the proposed entertainment event.
- D. Written consent of Applicant and all property owners that appropriate law enforcement agencies and City officials may enter upon the premises at any time after the permit is issued and until 5 days after the entertainment event ends for the purpose of making inspection and taking action as is permitted or required by law.
- E. Agreements or statements from specific doctors, first aid attendants and ambulances assuring availability at the appropriate time and place of the entertainment event.
- F. Agreements or statements from specific private patrol services assuring their availability at the appropriate time and place of the entertainment event to provide outside patrol services.
- G. A cash payment in an amount to be determined by the City Manager to cover the expense of outside police service provided by the City as shall be required or determined by the Chief of Police, and to provide services of a Fire Marshal provided by the City.
- H. A public liability and property damage insurance policy issued by an insurance company authorized to do business in California, naming the City of Milpitas, its officers, agents and employees as co-insured in the amount of \$\_\_\_\_\_ for each injury or death or for any occurrence and in the amount of \$\_\_\_\_\_ for damage to property. Said policy shall be in the form acceptable to City Attorney and shall provide, by its terms that it is primary insurance and shall not be subject to cancellation or reduction in coverage without 10 days notice to City and shall not preclude City, its officers, agents and employees from recovery thereunder.
- I. The consent of a natural person residing in the County of Santa Clara who is, by virtue of the Application, designated as agent for the service of process for the Applicant, promoter or sponsor and the owners of the real property involved. Said consent shall contain both residence and business addresses. NOTE: All consents must be verified under penalty of perjury.
- J. Permittee agrees to indemnify the City of Milpitas, its officers, agents and employees, defend them with Counsel acceptable to the City, and hold them harmless from and against all loss, damage, expense and liability (including, but not limited to, costs of investigation and attorney and court costs) resulting from *injury to or death of any person and loss of or damage to property or claims of such injury, death, loss or damage and arising out of or connected with the use for which this permit is granted*. In addition, permittee waives all claims or causes of action against the City of Milpitas, its officers, agents or employees for damage to or loss of property of any kind or for injury to persons occurring in connection with the use for which this permit is granted arising from any cause other than the negligence or willful misconduct of the City of Milpitas, its officers, agents or employees and to which permittee or its officers, agents and employees in no way contributed either actively or passively causing such damage loss or injury.

I declare under penalty of perjury that the above statements and any accompanying statements and documents have been examined by me and are true and correct. I have read Chapter 5, Title III of the Milpitas Municipal Code and agree to comply with the provisions of said Chapter 5, Title III, the permit, the conditions thereof and the laws of the City and State.

Executed at Milpitas, California, on June 10th <sup>2005</sup>~~19~~.

Signed: Tim Howard

Title: Chair, Art & Wine Comm.

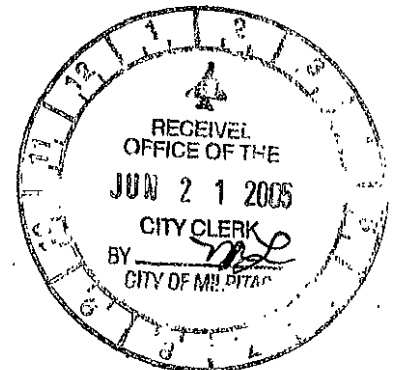
Received by Mary Lovell

Date 6-21-05

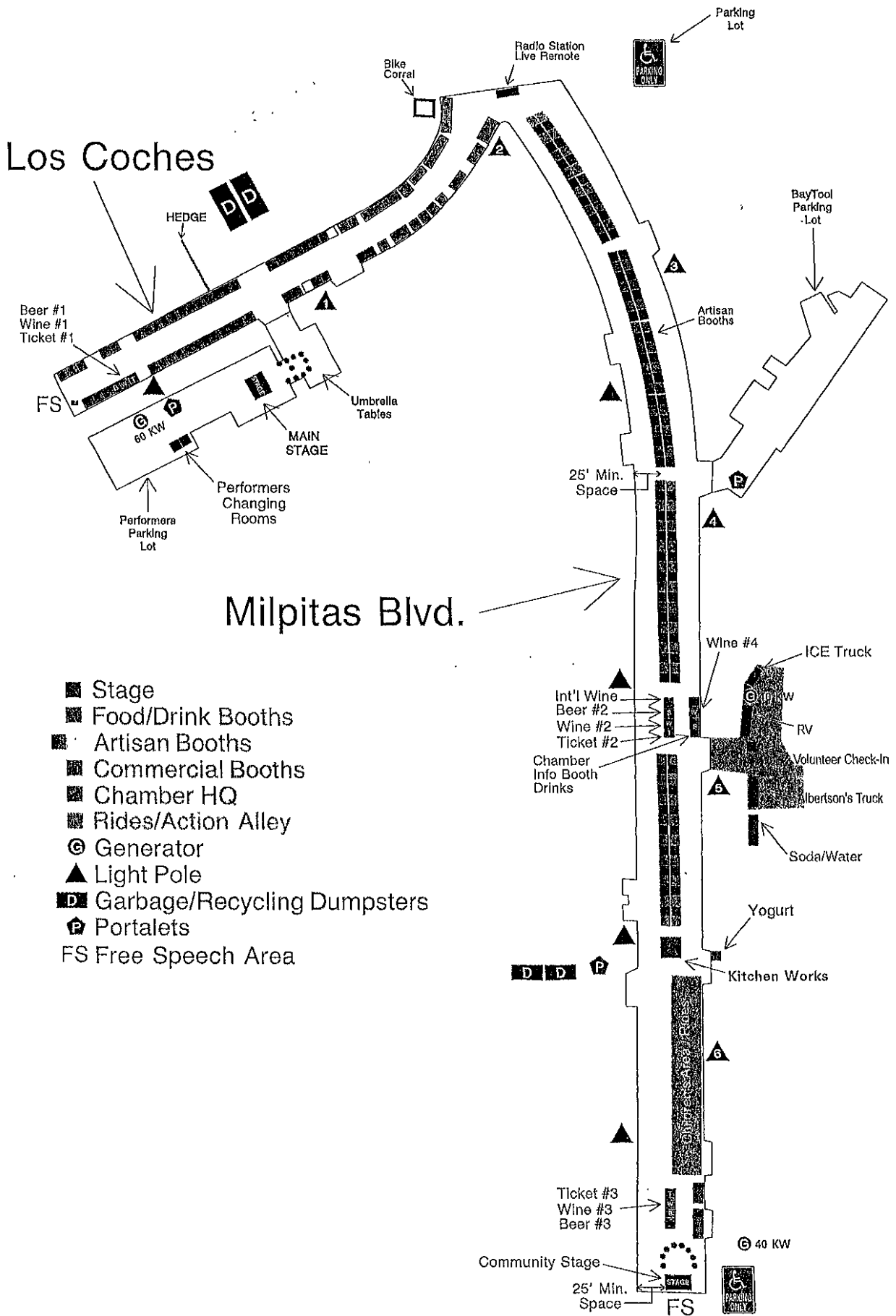
Permit No. \_\_\_\_\_

<u>*FOR</u> <u>ACTION</u>	<u>APPROVED</u>	<u>DISAPPROVED</u>	<u>DEPARTMENT</u>	<u>BY</u>	<u>DATE</u>
_____	_____	_____	<u>Planning</u>	_____	_____
_____	_____	_____	<u>Building</u>	_____	_____
_____	_____	_____	<u>Health</u> <u>X</u>	_____	_____
_____	_____	_____	<u>Fire Marshal</u>	_____	_____
_____	_____	_____	<u>Police</u>	_____	_____
_____	_____	_____	<u>Finance</u>	_____	_____
_____	_____	_____	<u>City Manager</u> <u>X</u>	_____	_____
_____	_____	_____	<u>City Council</u>	_____	_____

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# Art & Wine 2005 Preliminary Layout



# **MILPITAS CHAMBER OF COMMERCE**

## **EMERGENCY RESPONSE PLAN**

**SUBJECT:** Art & Wine Festival

Effective: August 1, 1999  
Revised: July 27, 2001  
Last Reviewed: July 15, 2004

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### **BACKGROUND:**

The Chamber of Commerce holds an annual Art & Wine Festival each August that draws 30-45,000 visitors. In addition to the visitors, a number of vendors and support staff is also present during the two-day festival. Upwards of 6,000 people are estimated to be present at any given time during the peak attendance periods.

The community has a number of high tech firms that utilize potentially hazardous chemicals in their manufacturing process; major railroad lines, freeways and earthquake faults, bisect the City. While the likelihood of a disaster occurring during the Art & Wine Festival is small, it is prudent to be prepared for either man-made or natural disasters that might require emergency services or evacuation of the festival area.

### **POLICY:**

It is the policy of the Milpitas Chamber of Commerce to apply the maximum level of protection to safeguard the health and welfare of all of its employees, vendors, volunteers and guests during any program or undertaking sponsored by the Chamber. The following Standard Operating Procedure (SOP) is the Chamber of Commerce's contingency plan for managing an emergency occurring during the Art and Wine Festival. The concepts contained in this plan are intended to address potentially adverse situations that pose a threat to those attending or working at the festival and address how best to help mitigate the problem.

### **OPERATIONAL PREMISES:**

- ✓ Governmental authorities have issued all necessary permits and inspections.
- ✓ All Volunteers, staff and food vendors will be familiar with this plan.
- ✓ All Key Chamber Staff (Festival Chair, Vice Chair, Executive Manager, and Chamber President) will be in communication during the festival via two-way radio.
- ✓ Additional two-way radios will be located at all ticket booths.
- ✓ A Chamber Headquarters, located at the festival site, will be maintained and staffed at all times during festival hours by chamber personnel. This Chamber Headquarters will be in communication with the staff, ticket booths, and volunteers via two-way radio and will have access to a telephone.
- ✓ Appropriate Parking and Exit signs will be placed in the Festival area to enable the egress of both vehicles and pedestrians. Maps will be posted in all ticket, wine, beer, and chamber booths showing exit routes.
- ✓ This document will be reviewed and modified (as needed) prior to each annual festival.

# MILPITAS CHAMBER OF COMMERCE

## EMERGENCY RESPONSE PLAN

### ASSIGNMENTS:

1. A Festival Chair and Vice-Chair will be designated. These personnel along with the Chamber President and Chamber Executive Manager will be responsible for carrying out this plan. At least one of these personnel will be available at all times during the Festival and will serve as the primary contact for any emergency responders and provide any assistance requested by emergency personnel.
2. All Chamber volunteers will be responsible for assisting in this plan as needed and directed.
3. All Chamber volunteers and staff will be identified with a Festival T-shirt. Key staff will have ID Badges.
4. The Chamber Headquarters will be located in a trailer located at the Festival site (see map) and will be staffed during Festival hours. This site will serve as a central point of contact for all volunteers, staff, food vendors, and other personnel needing assistance from the Chamber staff.
5. The Festival Chair and/or designates will be responsible for providing training to volunteers, staff, and food vendors. This training will be a familiarization with all aspects of this plan. A copy of this plan will be provided to each team coordinator and copies will be posted in all ticket, drink, and chamber booths.
6. Team Coordinators will be trained and will then familiarize their booth staff with this plan prior to the Festival.

### CONTINGENCIES:

<u>EVENT / OCCURANCE</u>	<u>ACTIVITY / RESPONSE</u>	
1. Lost Child	A radio broadcast will be made to all locations with a description of the lost child. All volunteers will immediately look around their respective area for the Child and report results to Chamber Headquarters. Headquarters will report lost child to Police Department if the child is not located within the time frame specified during the broadcast.	
2. Found Child	If the child's guardian/parent is not located in the immediate area, a chamber volunteer will escort the child to the Chamber Headquarters. The Chamber Headquarters will be made aware of the child's name, the child's description, and the name of the volunteer escorting the child via two-way radio. An announcement will be made at all entertainment stages about the child. Any volunteer being informed about a missing child should report that information immediately to the Chamber Headquarters who will coordinate. Lost parents should be directed to the Chamber Headquarters.	
3. Emergency Medical	Any need for emergency medical attention should be reported to the Chamber Headquarters. If on-site Emergency Responders are not able to respond, the Chamber Headquarters will call 911 and report the situation.  Volunteers should make sure that the public is kept back and help facilitate the response of Emergency Personnel by keeping a pathway open and helping Emergency Responders identify the location of need.	
4. Violence	Report situation to the Chamber Headquarters who will immediately contact 911 for assistance. If Police Department personnel are in attendance at the festival they will <u>also</u> be contacted—but this should not preclude a phone call to 911.  Volunteers should make sure that the public is kept away from any danger and help facilitate the response of Emergency Personnel by keeping a pathway open and helping Emergency Responders identify the location of need.	
5. Fire	Report situation to the Chamber Headquarters who will immediately contact 911 for assistance. If Fire Department personnel are in attendance at the festival they will <u>also</u> be contacted—but this should not preclude a phone call to 911.  Volunteers should make sure that the public is kept away from any danger and help facilitate the response of Emergency Personnel by keeping a pathway open and helping Emergency Responders identify the location of need.	

# MILPITAS CHAMBER OF COMMERCE

## EMERGENCY RESPONSE PLAN

6. Evacuation	<p>A determination that a need to evacuate the Festival would be made by the Incident commander (police or fire department official). The Festival Chair, Vice-Chair, Chamber President and/or Chamber Executive Manager will coordinate with city officials.</p> <p>If an evacuation becomes necessary a two-way radio broadcast would be made to all staff. All booths are to immediately be shut down and appropriate announcements will be made at each stage. A simple but effective message that does not create panic will be delivered to the public. Volunteers should help to spread the word in a calm manner that the festival site needs to be evacuated. Again, DO NOT create panic.</p> <p>If sufficient Police or other resources are not available to direct traffic, volunteers will be directed to assist in this regard to facilitate the rapid egress of people from the site. It is imperative the traffic is <u>not</u> directed East on Los Coches towards Hillview—this is the planned route for Emergency Responders to enter the Festival site and needs to be kept clear. Traffic control would be needed at the intersection of Milpitas Blvd. and Calaveras Blvd., the intersection of S. Milpitas Blvd. and Montague Expressway, and the intersection of S. Milpitas Blvd. and Yosemite Dr. In the event of an emergency evacuation.</p>
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### ATTACHMENTS:

Festival Map

# MEMORANDUM

*Department of Planning, Recreation & Neighborhood Services*

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**To:** Mary Lavelle, City Clerk

**From:** Staci Pereira, Assistant Planner *Sp*

**Subject:** Entertainment Event Permit – Milpitas Chamber of Commerce Art & Wine Summer Festival (Administrative Permit No. AD2005-7)

**Date:** June 24, 2005

The Planning Division has reviewed the Entertainment Event Permit for the Milpitas Chamber of Commerce's Art and Wine Summer Festival on S. Milpitas Blvd. between Los Coches and Turquoise Streets and on Los Coches Street between S. Milpitas and Topaz Streets. This event is approved subject to the following conditions:

1. The event shall be conducted in a manner that pedestrian and vehicular traffic adjacent to event area are not impeded in any way. In addition, parking areas, handicap parking facilities, access and pathways shall not be obstructed.
2. Booths, stages, seats and other structures shall not obstruct pedestrian access and pathways within the enclosed event area.
3. Trash and recycling receptacles shall be provided and maintained throughout the event area.
4. The applicant shall protect storm drain inlets from accidental discharges, by providing thorough site sweeping and clean-up, on an on-going basis during event operating hours of all refuse, debris, spills, including trash pick-up by BFL. The applicant shall provide a letter to the Milpitas Planning Division (staff contact: Staci Pereira, 408-586-3278, fax 586-3293) outlining *who* will conduct the on-going clean-up/sweeping activities and *when* these will occur.
5. Any signage associated with the event shall be temporary and not be displayed for a period more than fourteen (14) consecutive days. Upon cessation of the event all associated signage shall be removed and properly disposed of.
6. Any sound systems associated with the music stage shall not operate outside the hours of 10:00 AM and 6:00 PM, as proposed. The volume shall be maintained at a level that is not disruptive to neighboring businesses, if operating.
7. The event setup and breakdown shall be to the approval of Police and Traffic to ensure no public access to roads and businesses remains during their hours of operation.

I declare under penalty of perjury that the above statements and any accompanying statements and documents have been examined by me and are true and correct. I have read Chapter 5, Title III of the Milpitas Municipal Code and agree to comply with the provisions of said Chapter 5, Title III, the permit, the conditions thereof and the laws of the City and State.

Executed at Milpitas, California, on June 20<sup>th</sup> 2005

Signed: Tim Howard

Title: Chair, Art & Wine Comm.

Received by Mary Lovell

Date 6-21-05

Permit No. \_\_\_\_\_

\*FOR  
ACTION

APPROVED

DISAPPROVED

DEPARTMENT

BY

DATE

✓ conditions attached

Planning

Stan Feron

6/24/05

Building

Health X

Fire Marshal

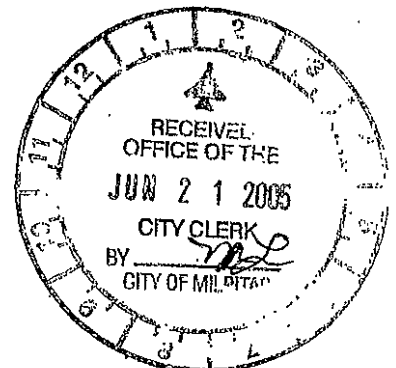
Police

Finance

City Manager X

City Council

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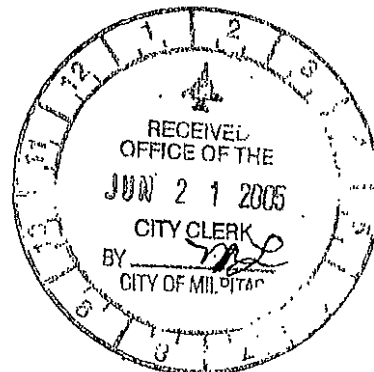
Executed at Milpitas, California, on June 20th <sup>2005</sup><sub>19</sub>.

Signed: Tim Howard  
 Title: Chair, Art & Wine Comm.

Received by Mary Lawell Date 6-21-05 Permit No. \_\_\_\_\_

*FOR ACTION	APPROVED	DISAPPROVED	DEPARTMENT	BY	DATE
_____	_____	_____	Planning	_____	_____
_____	<u>X/KE</u>	_____	Building	<u>KE</u>	<u>6/29/05</u>
_____	_____	_____	Health	<u>X</u>	_____
_____	_____	_____	Fire Marshal	_____	_____
_____	_____	_____	Police	_____	_____
_____	_____	_____	Finance	_____	_____
_____	_____	_____	City Manager	<u>X</u>	_____
_____	_____	_____	City Council	_____	_____

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I declare under penalty of perjury that the above statements and any accompanying statements and documents have been examined by me and are true and correct. I have read Chapter 5, Title III of the Milpitas Municipal Code and agree to comply with the provisions of said Chapter 5, Title III, the permit, the conditions thereof and the laws of the City and State.

Executed at Milpitas, California, on June 20th <sup>2005</sup> 10.

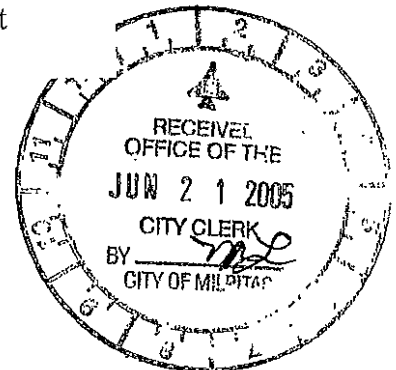
Signed: Tim Howard

Title: Chair, Art & Wine Comm.

Received by Mary Lovell Date 6-21-05 Permit No. \_\_\_\_\_

*FOR ACTION	APPROVED	DISAPPROVED	DEPARTMENT	BY	DATE
_____	_____	_____	Planning	_____	_____
_____	_____	_____	Building	_____	_____
_____	_____	_____	Health X	_____	_____
_____	X with conditions noted below	_____	Fire Marshal	<u>Appl</u>	<u>6/21/05</u>
_____	_____	_____	Police	_____	_____
_____	_____	_____	Finance	_____	_____
_____	_____	_____	City Manager X	_____	_____
_____	_____	_____	City Council	_____	_____

- If tents are to be used and/or cooking is to be conducted obtain a permit from the Fire department.
- Cooking and heating appliances shall be in accordance with Fire Department guidelines.



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Executed at Milpitas, California, on June 20th <sup>2005</sup><sub>10</sub>

Signed: Tim Howard

Title: Chair, Art & Wine Comm.

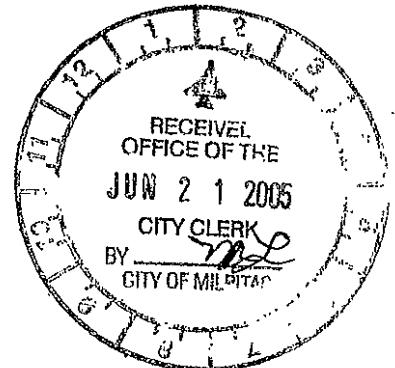
Received by: Mary Louelle

Date 6-21-05

Permit No. \_\_\_\_\_

<u>*FOR</u> <u>ACTION</u>	<u>APPROVED</u>	<u>DISAPPROVED</u>	<u>DEPARTMENT</u>	<u>BY</u>	<u>DATE</u>
_____	_____	_____	Planning	_____	_____
_____	_____	_____	Building	_____	_____
_____	_____	_____	Health X	_____	_____
_____	_____	_____	Fire Marshal	_____	_____
_____	✓	_____	Police <u>D. Penilla #107</u>	_____	<u>6-23-05</u>
_____	_____	_____	Finance	_____	_____
_____	_____	_____	City Manager X	_____	_____
_____	_____	_____	City Council	_____	_____

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Executed at Milpitas, California, on June 20th <sup>2005</sup><sub>10</sub>.

Signed: Tim Howard

Title: Chair, Art & Wine Comm.

Received by Mary Louelle Date 6-21-05 Permit No. \_\_\_\_\_

<u>*FOR</u>					
<u>ACTION</u>	<u>APPROVED</u>	<u>DISAPPROVED</u>	<u>DEPARTMENT</u>	<u>BY</u>	<u>DATE</u>
_____	_____	_____	<u>Planning</u>	_____	_____
_____	_____	_____	<u>Building</u>	_____	_____
_____	_____	_____	<u>Health</u> X	_____	_____
_____	_____	_____	<u>Fire Marshal</u>	_____	_____
_____	_____	_____	<u>Police</u>	_____	_____
_____	<u>X for Emma Karlan</u>	_____	<u>Finance</u>	<u>Jane</u>	<u>6/22</u>
_____	_____	_____	<u>City Manager</u> X	_____	_____
_____	_____	_____	<u>City Council</u>	_____	_____

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